Software Rights Archive, LLC v. Google Inc. et al

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FIRM OVERVIEW

Motley Rice LLC was founded on April 28, 2003 by Ronald L. Motley, Joseph F. Rice and nearly 50 other attorneys. The firm is one of the nation's largest all plaintiffs law firms. Our attorneys, assisted by over 350 support personnel, are proven leaders in litigation, demonstrating extensive courtroom experience and an in-depth understanding of the law. The firms attorneys are internationally recognized for their pioneering work representing asbestos victims, States' Attorneys General in their landmark litigation against Big Tobacco, the 9/11 families and survivors in their groundbreaking lawsuit against terrorist financiers, and hundreds of thousands of other citizens harmed by the wrongdoing of others. The attorneys of Motley Rice LLC continue to seek justice in the areas of: aviation disaster; catastrophic injury; complex case resolution; securities and consumer fraud; environmental hazards and contamination; medical negligence and medical device defects; occupational disease and toxic torts; and transportation defects, whistleblower protection, anti-terrorism litigation and other mass torts. The firm has offices in Barnwell and Mt. Pleasant, South Carolina; Providence, Rhode Island; Hartford, Connecticut; and Atlanta, Georgia. Motley Rice attorneys have dealt with cases in Latin America, Canada, Europe, the U.K., and many other countries.

Motley Rice attorneys, with more than several hundred years of collective trial experience with litigation practice across the United States, first gained widespread national recognition for the first successful representations of injured persons against the asbestos industry. Our attorneys' practice has included Dalkon Shield, breast implants, defective medical devices, lead poisoning, and other mass and complex tort litigation including tobacco. In the last decade, Motley Rice attorneys were selected by 26 States' Attorneys General to represent them against the tobacco industry in recovering medical costs associated with smoking under novel legal and equitable theories that Motley Rice attorneys spearheaded – resulting in a $246 billion settlement agreement. The Firm also represents individuals and plaintiffs in complex litigation involving civil racketeering (RICO), securities fraud, insurance fraud, tire and vehicle defects, defective drugs, class actions, toxic torts, workplace exposures, nursing home negligence, multi-district litigation, and representation related to the September 11, 2001 acts of terrorism.

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CIVIL LITIGATION

Motley Rice lawyers and extensive support staff have experience in all types of civil litigation. The Firm's attorneys routinely litigate complex cases involving multiple parties in state and federal jurisdictions throughout the United States, either as sole counsel for the plaintiffs or in association with local counsel and other firms. The Firm's lawyers have also distinguished themselves in the use of alternative dispute resolution, such as negotiation, mediation and arbitration, in some cases making it possible to avoid protracted litigation. Motley Rice LLC employs state-of-the-art technology by using video conferencing, direct access to the Internet for attorneys and support staff, and a computer-based document management system which enables the Firm to process and enter into the database thousands of medical articles, liability documents and all other information and documents utilized in litigation proceedings. Motley Rice LLC was named one of the top plaintiffs' firms in the U.S. by the National Law Journal in 2006 ("Plaintiffs' Hot List").

Motley Rice LLC attorneys are involved in a wide range of civil litigation cases. These cases involve representing victims injured from defective products, product failures, premise liability, automobile crashes and various other negligent acts or malpractice. With over 75 lawyers, the Firm has the ability to act quickly in protecting the rights of individuals as new product dangers become apparent. The lawyers of Motley Rice LLC have been associated as counsel in litigation involving personal injury claims of all kinds, including cases related to:

Asbestos	Bankruptcy
Tobacco	Dram Shop Litigation
Lead	Drug Product Liability
Medical Malpractice	Implants & Prostheses
Medical Device Litigation	MDL Practice
Kerosene Heaters	Fires
Pesticides	Aviation Disasters
Flooding	Motorcycles
Chemical or Toxic Spills	Engineering Malpractice
Negligence	Premises Liability

Vehicle Defect | Tire Defect
Battery Explosions | Negotiation, Settlement & Claims
Civil Rights | Anti-Terrorism

MULTIPLE PARTY LITIGATION

The attorneys of Motley Rice LLC have substantial experience in multiple party litigation, including the following class and consolidated actions:

Plaintiffs' Liaison counsel, Linscomb v. Pittsburgh Corning Corp., et al., a national class action pending on behalf of asbestos victims nationwide in the United States District Court for the Eastern District of Texas, Beaumont Division.

Executive committee member, In Re: Asbestos School Litigation, a national school asbestos class action pending in the United States District Court for the Eastern District of Pennsylvania.

Lead plaintiffs' counsel in Central Wesleyan College v. W.R. Grace Co., et al., a national asbestos property damage class action pending in the United States District Court for the District of South Carolina, Charleston Division.

Lead plaintiffs' counsel in Carl Wells v. Raymark Industries, a national asbestos personal injury class action filed in United States District Court of Kansas, Wichita Division, in which 19,684 claims were resolved.

Counsel for class representative in Raytech v. Earl White, an asbestos bankruptcy related class action pending in the United States District Court of Connecticut.

Co-lead counsel for plaintiffs in Cimino v. Pittsburgh Corning, et al., an asbestos personal injury class action on behalf of 2,300 plaintiffs pending in the United States District Court for the District of Texas, Beaumont Division.

Co-lead plaintiffs' counsel in Chatham v. AC&S, et al., a consolidated asbestos personal injury action involving 300 plaintiffs in the Circuit Court of Harris County, Texas.

Co-lead plaintiffs' counsel in Mary Abrahms, et al., v. GAF Corp., et al., a consolidated asbestos personal action involving in excess of 6,000 plaintiffs pending in the Mississippi State Circuit Court at Jackson County.

Co-liaison plaintiffs' counsel in 3,000 asbestos personal injury cases pending in the Third Judicial Circuit of Illinois, Madison County, Illinois.

Co-lead counsel in a consolidated asbestos personal injury action involving 540 plaintiffs pending in the Superior Court of Alameda County, California.

Co-lead counsel for plaintiffs in In Re: Asbestos Products Liability Litigation, MDL 875.

Numerous consolidated asbestos trials including 87 consolidated cases in Danville, Illinois; 300 consolidated cases in the United States District Court, Western District of New York, Rochester, New York; 42 consolidated cases in State Court in Mississippi; and 315 consolidated cases in the Circuit Court of Kanawha County, West Virginia. (The latter tried to successful plaintiffs' verdict.)

Plaintiffs' steering committee and plaintiffs' liaison counsel in In Re: Showa Denko K.K. L-tryptophan Products Liability Action M.D.L. No. 865.

Member Interim Plaintiffs' steering committee and Multiple Plaintiffs' Counsel in In Re: San Juan DuPont Plaza Hotel Fire Litigation M.D.L. 721.

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Plaintiffs' lead counsel in In Re: Kansas Asbestos Cases in the United States District Court for the District of Kansas; In Re: Madison County Illinois Asbestos Litigation, and In Re: Wayne County Michigan Asbestos Cases.

Class counsel in Carol Lee Whitfield, et al., v. Sangamo Weston, et al., a PCB personal injury and property damage class action settled while pending before the United States District Court for the District of South Carolina, Greenville Division.

Lead counsel in a jet fuel pollution case involving the consolidated property damage and personal injury claims of multiple plaintiffs in the Gold Cup Springs subdivision, titled Dennis Bates, et al. v. Tenco Services, Inc., in the United States District Court for the District of South Carolina, Charleston Division.

Appointed to a three (3) person steering committee on the Food Lion Multidistrict Litigation Panel.

Plaintiffs' lead counsel in a case involving ten (10) persons injured in a crane disaster in Florence County, South Carolina.

Plaintiffs' MDL Steering Committee in In Re: Ford-Firestone tire and vehicle defect litigation before Judge Barker in the S.D. of Indiana.

Plaintiffs' steering committee and plaintiffs' liaison counsel in In Re: Policy Management Systems Corp., a securities case filed in the United States District Court for the District of South Carolina, Columbia Division.

Lead counsel and executive committee membership in In Re: Terrorist Attacks of September 11, 2001, MDL #1570, pending in the Southern District of New York.

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SECURITIES LITIGATION

In February 2006, Motley Rice LLC expanded its securities litigation practice with the opening of an office in Atlanta, Georgia and the addition of four new members. Prior to joining Motley Rice, these members had served in leading roles in the prosecution of the following securities litigation in which their former firms had served as lead or co-lead counsel:

In re AFC Enterprises Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:03-CV-817-TWT

In re BellSouth Corporation Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:02-2142-WSD

In re Boston Chicken Sec. Litig., United States District Court for the District of Colorado, Civil Action No. 1:97-CV-01435-WDM

In re Campbell Soup Sec. Litig. United States District Court for the District of New Jersey, Civil Action No. 1:2000cv00512

In re Choicepoint, Inc., Sec. Litig, United States District Court for the Northern District of Georgia, Civil Action No. 1:05-CV-686-JTC

In re Cryolife Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:02-CV-1868-BBM

In re First Horizon Pharmaceutical Corporation Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:02-CV-2332-JOF

In re Friedman's Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:03-CV-3475-WSD

Garfield v. NDCHealth Corporation, United States District Court for the Northern District of Georgia, Civil Action No. 1:04-CV-970-WSD

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In re HealthTronics Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:03-CV-2800-CC

In re InterCept Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:03-567-ODF

In re JDN Realty Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1-00-CV-0396-RWS

In re MicroWarehouse Sec. Litig., United States District Court for the District of Connecticut, Civil Action No. 3:96-cv-01920-DJC

In re Mirant Corporation Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:02-CV-1467-WSD

In re Policy Management Sec. Litig. United States District Court for the District of South Carolina, Civil Action No. 3:00-0130-17

In re Premiere Technologies, Inc. Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:98-CV-1804-JOF

In re Profit Recovery Group International, Inc., Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:00-CV-1416-CC

In re Providian Financial Corp. Sec. Litig., United States District Court for the Northern District of California, Master File No. C-01-3952-CRB

In re Rite Aid Sec. Litig., United States District Court for the Eastern District of Pennsylvania, Civil Action No. 2:10-md-01360-SD

In re Scientific-Atlanta, Inc., Sec. Litig., Civil Action No. 1:01-CV-1950-RWS

In re ValuJet, Inc. Sec. Litig., United States District Court for the Northern District of Georgia, Civil Action No. 1:96-1355-TWT.

SPECIALIZED BANKRUPTCIES

Motley Rice attorneys serve on several committees in national bankruptcies including:

Select counsel to the asbestos claimants' committee in the Johns-Manville bankruptcy pending in the United States Bankruptcy Court for the Southern District of New York;

Claimants' committee in the H.K. Porter, National Gypsum, Raytech, Rock Wool and M.H. Detrick asbestos related bankruptcies;

Claimants' committee in In Re: A.H. Robins, a Chapter 11 Reorganization involving Dalkon Shield victims nationwide;

Counsel to one of the members of the Creditor's Committee representing the asbestos victims and Chairman of the Select Counsel for the Beneficiaries;

Claimants Committee in the Camall Chapter 11, the first bankruptcy associated with the Fen-Phen litigation;

Class Counsel in the In re: Trebol Motors Corporation and In re: Trebol Motors Distributors Corp., actively defending a $143,000,000 class action judgment claim on behalf of a class of defrauded purchasers of Volvo automobiles.

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THE FIRM'S MEMBERS

RONALD MOTLEY

Ronald L. Motley is internationally recognized as one of America's most dynamic, accomplished and skilled trial lawyers. Over a career spanning more than three decades, his persuasiveness before a jury and his ability to break new legal and evidentiary ground has brought to justice two once-invincible giant industries whose malfeasance took the lives of millions of Americans — asbestos and tobacco.

Today, Motley is once again advancing cutting-edge litigation as lead counsel for more than 6,500 family members and survivors of the September 11, 2001 terrorist attacks seeking justice against al Qaeda's financiers.

Motley has won numerous awards for his ability to win justice and compensation for his clients and for his seminal impact on the course of civil litigation. In 1998, he was named Harry M. Philo Trial Lawyer of the Year by the 50,000-member Association of Trial Lawyers of America and received the President's Award of the National Association of Attorneys General. The Campaign for Tobacco-Free Kids gave him their Youth Advocates of the Year Award in 1999. Business Week magazine characterized Motley's courtroom skills as "dazzling." American Lawyer dubbed him "The man who took on Manville," and The National Law Journal has ranked him, "One of the most influential lawyers in America."

His combination of legal and trial skills, personal charisma, nose-to-the-grindstone hard work and record of success has enabled Motley, a 1971 graduate of the University of South Carolina School of Law, to build Motley Rice LLC into one of the world's leading plaintiffs' law firms concentrating in highly complex litigation.

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JOSEPH RICE

Motley Rice LLC member Joe Rice is internationally renowned as a skillful, innovative, tough and masterful negotiator of landmark settlements of highly complex litigation. Rice is best known for his central role in crafting the landmark settlement on behalf of the States Attorneys General, in which the tobacco industry agreed to reimburse states for smoking-related health costs, resulting in the largest civil settlement in history.

Rice's work on the tobacco settlement only expanded the huge impact that he has made resolving difficult litigation in asbestos and other toxic tort areas. Named one of the nation's "Five Most Respected Plaintiff Attorneys" in a poll of defense counsel and legal scholars conducted by Corporate Legal Times, Rice was cited time after time as one of the toughest, sharpest and hardest-working litigators they have ever faced. As the article notes, "For all his talents as a shrewd negotiator . . . Rice has earned most of his respect from playing fair and remaining humble."

He combines a meticulous and exhaustive capacity for numbers-crunching with a creative mind that thinks outside the box in identifying solutions to difficult problems that win justice for clients.

In 1998, Rice received the President's Award of the National Association of Attorneys General. In 1999 and 2000, Rice served on the faculty at Duke University School of Law as a Senior Lecturing Fellow. Rice earned a Bachelor of Science and J.D. degree from the University of South Carolina and has also taught classes at the USC and Duke Law Schools on the art of negotiating.

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LAUREN ANTONINO

Joining Motley Rice in 2006 as a member, Lauren Antonino focuses primarily on the firm's Securities and Consumer Fraud practice group. Antonino has over eighteen years of complex litigation expererience, including commercial, mass tort and securities class action litigation. Her experience includes leading major securities fraud cases, including In re JDN Realty Company, In re Premiere Technologies Sec. Litig, In re InterCept Sec. Litig., and In re HealthTronics Sec. Litig.

Antonino is a Phi Beta Kappa graduate of Duke University where she earned an A.B. degree with *magna cum laude* honors in 1984. She is a 1987 graduate of the University of Virginia School of Law where she served on the managing board of the Virginia Tax Review and as a defense counsel for the University Honor System. Following law school, she clerked for the late Honorable M. Oliver Koelsch of the United States Court of Appeals for the Ninth Circuit in Seattle, Washington.

Antonino has been a featured speaker on securities class action litigation, employment law, alternative dispute resolution and product liability issues. She has served as a presenter for public pension fund conferences, the American Bar Association Convention, the Alternative Dispute Resolution Convention and ICLE. In July 2000, her article entitled "The Seven Steps of Effective Workplace Investigations (with Sample Questions)" was published in The Practical Litigator. In September of the same year, her article "Fast Companies Need Fast Lawyers; Speeding Up Dispute Resolutions," was published in Competitive Edge. Antonino wrote "Latex Protein Toxic Syndrome Litigation: The Cutting Edge of Toxic Tort Practice," published in Mealey's Litigation Reports, Drugs and Medical Devices, in October 1996 and has been quoted in numerous publications, including Business Week, on the subject of latex allergy.

She is a member of the American Mensa Society, is listed in the 2000 edition of the National Registry of Who's Who, the 2003-2004 and 2005-2006 editions of Who's Who in American Law and was selected by her peers as one of Georgia's Super Lawyers in the 2004, 2005 and 2006 editions. Antonino is admitted to practice before all Georgia state trial and appellate courts, the U.S. District Court for the Northern District of Georgia and the Eleventh Circuit Court of Appeals.

Antonino is a Past President and a former member of the Board of Directors for the Legal Clinic for the Homeless and of the Atlanta Legal Aid Advisory Board.

FRED BAKER

Working on behalf of Motley Rice LLC clients pursuing unfair trade practice and occupational disease litigation, Fred Baker brings a unique set of skills gained by having taken on a number of the most challenging defendants—those comprising Big Tobacco. He played a central role in a number of individual tobacco cases, as well as in the States Attorneys General National Tobacco Litigation.

Baker's desire to acquire fair and just results for his clients has resulted in his management of several of the highly complex mass litigation cases for which Motley Rice attorneys are known. He also has extensive experience in writing and arguing pivotal motions and briefs.

Baker divides his time between the consumer and commercial fraud and the occupational disease and toxic tort practice groups at Motley Rice and is currently focusing on unfair insurance trade practices litigation and welding rod personal injury litigation. Baker earned a J.D. and LL.M from Duke University School of Law in 1993. He was admitted to the South Carolina Bar and New York Bar in 1994, at which time he began working with Motley Rice attorneys.

KEVIN DEAN

For over fifteen years, Kevin Dean has litigated in the areas of personal injury, wrongful death, professional malpractice, products liability, lender liability and commercial/consumer fraud. Dean joined Motley Rice LLC as an Associate in 2004 to focus on the firm's Transportation, Medical and Catastrophic Injury Practice Groups. He was quickly appointed vehicle defect subgroup leader. In late 2005, Dean was asked to serve as team leader on the firm's newest medical malpractice litigation. The litigation, led by Ron Motley, involves the prosecution of possibly thousands of emerging cases involving body snatching and recipients of potentially diseased human tissue. Dean was named a Member of Motley Rice LLC in 2006.

A true lawyer for the people, Dean ardently represents those with limited resources, those victimized and in need of access to the courts. Prior to joining Motley Rice, Dean was a partner with the Law

Offices of J. Edward Bell III, LLC in Georgetown, South Carolina. Before moving to South Carolina in 2001, he was a member of the William S. Stone, P.C. law firm in Blakely, Georgia, and began his career as an associate with The Bennett Law Firm of Valdosta, Georgia. Dean also served as a County Commissioner on the Early County Georgia Board of Commissioners and has the distinguished honor of having been the youngest elected commissioner in this rural south Georgia county's history.

Dean earned an Associates Degree in Criminal Justice and a Bachelor Degree in Political Science from Valdosta State University. He received a Juris Doctor Degree in 1991 from the Cumberland School of Law at Samford University, where he was selected to serve on one the school's nationally published law reviews, the American Journal of Trial Advocacy, publishing "The Right to Jury Trial in ERISA Civil Enforcement Actions." More recently, Dean co-authored an article titled "Dangerous Doors and Loose Latches," appearing in the November 2004 issue of Trial Magazine of the Association of Trial Lawyers of America. He is licensed to practice in Georgia and South Carolina.

PAUL DOOLITTLE

Most kindergartners play with blocks. Five year-old Paul J. Doolittle built them into a podium and stood before his classmates to argue make-believe cases. Hence, a brilliant career as a trial lawyer was born. More than 30 years later, Doolittle has nearly 100 courtroom cases under his belt, including verdicts for victims of mesothelioma and nursing home abuse. Doolittle is one of Motley Rice's lead trial attorneys, overseeing the trial docket and trying cases for clients and co-counsel in asbestos, nursing home abuse, silica, automobile defect and those involving catastrophic injuries.

Doolittle has more than a decade of trial experience. Doolittle earned a B.A. in philosophy in 1989 and a Juris Doctorate in 1993 from the University of South Carolina. In 1993, he joined the Greenville, South Carolina law firm of Foster & Foster. Two years later, he founded his own law firm. In 1996, he began working with Motley and Rice. In 2003, Doolittle was named a member of Motley Rice, LLC.

He is licensed to practice in South Carolina. Doolittle learned many of his courtroom skills from Motley, whose career he had long followed and who has served as a mentor. Before a judge and jury, Doolittle is serious, heartfelt and tenacious.

He feels that helping ordinary people have their day in court is a great honor. He is proud to help individuals level the playing field for any victim who has suffered an injustice. He is relentless in seeking justice for clients.

MIKE ELSNER

Mike Elsner never dreamed that his career choice would result in world travel and meetings with foreign intelligence officers, witnesses and informants. He has had such opportunities, however, leading groundbreaking anti-terrorism litigation with Motley Rice LLC.

Elsner's creativity and his aggressive approach to gathering evidence and pursuing leads are qualities that have enabled him to effectively bring about social change through litigation. His use of the U.S. civil justice system to better protect Americans from the threat of terrorism is an approach that has been invaluable to the more than 6,500 9/11 families and survivors Motley Rice represents.

Elsner is a key member of the 9/11 and Anti-Terrorism Practice Group. He leads the investigatory team that is currently scouring the globe gathering liability evidence for the 9/11 families' civil action against al Qaeda's financiers and for 9/11 aviation litigation.

As The New York Times Magazine noted, such an endeavor is "a worldwide intelligence-gathering operation that makes the discovery process, ordinarily marked by subpoenas and dry depositions, read like a Tom Clancy novel."

To date, Elsner and his team have acquired more than one million pages of documents in thirteen languages about the activities of al Qaeda and the role that its alleged financiers played in providing material support for terrorism.

Elsner also plays a leading role in several of the firm's other terrorism cases including Almog v. Arab Bank brought on behalf of thousands of U.S. and Israeli victims who were injured or killed in terrorist attacks in Israel, a suit against Hilton Hotels brought on behalf of victims of the bombings at the Taba Hilton in Egypt and a suit against the Libyan government for their role in the bombing of Pan Am Flight 103 over Scotland.

After graduating from John Carroll University and receiving a law degree from the University of Memphis in 1997, Elsner began work for the Manville Personal Injury Trust. He partnered with Ron Motley and other attorneys on litigation against Big Tobacco, seeking damages for the harmful effects of smoking on the lungs of asbestos victims. In 2001, Elsner joined the firm of Weitz & Luxenberg, where he worked on asbestos and toxic tort litigation. Through these positions, Elsner gained experience in complex civil litigation in the areas of toxic tort, aviation, security, personal injury, bankruptcy, medical malpractice and whistleblower protections. He officially teamed with Motley Rice attorneys to work on the 9/11 litigation in 2002 and, in 2006, he became a Motley Rice Member.

Elsner has appeared on CNN, ABC, NBC, Fox, MSNBC, National Public Radio, the BBC and the Canadian Broadcasting Company to discuss terrorism litigation and he frequently lectures on the subject. Elsner is licensed to practice in New York, South Carolina and Virginia.

JAMES EVANGELISTA

Jim Evangelista joined Motley Rice LLC as a member in 2006. He primarily works with the firm's Securities and Commercial Fraud practice group. Evangelista has been involved in multiple high profile representations including the StarLink™ genetically modified corn litigation, the Insurance Sales Practices Litigation, the Independent Counsel's investigation of the "Iraqgate" scandal, and the Independent Administrator's oversight of the International Brotherhood of Teamsters. Additionally, Evangelista has prosecuted a number of actions on behalf of a variety of individual plaintiffs in high value commercial litigation, as well as class action securities fraud litigation including a settlement recovery for investors in *In Re Providian Financial Corp. Securities Litigation*, Master File No. C 01-3952 CRB (N.D.Cal.). Evangelista also has extensive experience in electronic discovery issues.

Evangelista graduated from Rutgers University in 1988 with a dual degree in Economics and Political Science. In 1991, he received a Juris Doctorate degree from the Rutgers School of Law, where he was an editor of the *Rutgers Law Review* and a recipient of the International Law Honors Program Award.

Prior to joining Motley Rice, Evangelista was a partner at Chitwood Harley Harnes, LLP, where he focused on securities fraud class action litigation. Before joining Chitwood, Evangelista was associated with Skadden, Arps, Slate, Meagher & Flom LLP, focusing on consumer and mass tort class action and complex commercial and insurance litigation, including consolidated multi-district litigation in state and federal courts. Evangelista also was associated with LeBoeuf, Lamb, Greene & MacRae LLP, where he worked on internal corporate investigations and general commercial litigation matters. Evangelista has also served as General Counsel to the National Horse Show Association of America, a 501(c)(3) not-for-profit corporation.

Evangelista's publications include: *Polishing the Gold Standard on the E-Discovery Cost-Shifting Analysis: Zubulake v. UBS Warburg LLC et al*, 9 J. Tech. L. & Pol'y 1 (2004); Note, *Toward a More Competitive Common Market: European Economic Community Council Regulation No. 4064/89, On the Control of Corporate Mergers Within the European Community*, 22 Rutgers L.J. 457 (1991); and Comment, *Cogdell v. Hospital Center At Orange*, 22 Rutgers L.J. 255 (1990) (addressing New Jersey's entire controversy doctrine).

Evangelista is a member of the Association of Trial Lawyers of America and the American Bar Association. He is admitted to practice before the United States Courts of Appeal for the Eighth and Eleventh Circuits, the United States District Courts for the Northern District of Georgia, Southern and Eastern Districts of New York, and District of New Jersey, as well as the State Bars of Georgia, New York, New Jersey, Colorado and the District of Columbia.

FIDELMA FITZPATRICK

Fidelma Fitzpatrick is helping to break new legal ground by holding the lead pigment industry accountable for the childhood lead poisoning crisis on behalf of the state of Rhode Island, various cities and counties and individuals. In February 2006, she was trial counsel in the landmark litigation against the lead pigment industry on behalf of the state of Rhode Island, which ended in an unprecedented verdict for the State.

Fitpatrick also represents hundreds of lead poisoned children in Wisconsin in legal battles against the lead pigment industry. As a result of her legal work, the Wisconsin State Supreme Court became the first to recognize the legal rights of poisoned children in suing the lead pigment manufacturers. She is also working intensively on similar litigation filed by the City of New York, the City and County of San Francisco and several New Jersey municipalities. In 2005, she served as co-counsel in a case resulting in a New Jersey Appellate Court ruling allowing 26 cities and counties to prosecute claims against the lead pigment industry.

Always bringing her intense passion and enthusiasm into the courtroom, Fitzpatrick characterizes her legal work as creative and relentless. She uses this approach in every aspect of her lead pigment litigation, from developing the initial cause of action to crafting the legal strategy, conducting discovery, taking depositions and trying cases in court.

Fitzpatrick graduated from Canisius College and received a law degree from the American University in 1994. In 1997, she joined Motley Rice attorneys in the Providence, R.I. office, working first on the Massachusetts, New York and Rhode Island lawsuits against Big Tobacco. Since 1999, she has focused on lead paint and other environmental litigation. Fitzpatrick became a Motley Rice LLC Member in 2006. She is licensed to practice in Massachusetts, New York, Rhode Island and Washington, D.C.

JODI FLOWERS

Jodi Flowers is a Motley Rice LLC member committed to the notion that trial lawyers can positively effectuate public justice and social change. With an unwavering commitment to unearthing the truth, she takes pride in the fact that her legal advocacy has so greatly impacted the lives of countless clients. She continually finds challenge and satisfaction in complex, novel and groundbreaking litigation.

Having a reputation for developing, researching and managing complex litigation and class actions, Flowers was the first associate hired for Ron Motley's tobacco team, a seven-year project based on restitution theories that ultimately led to the settlement between the States Attorneys General and

Big Tobacco. She also prepared the case on child targeting by the tobacco industry that led to restrictions on cartoon ads and the retiring of Joe Camel, developed expert and whistleblower testimony, worked up the case against R.J. Reynolds synthesizing millions of pages of documents and preparing individual and consolidated tobacco cases for trial.

In addition, Flowers litigated in cases against lead paint/pigment manufacturers, asbestos manufacturers and tire defects in the Bridgestone/Firestone MDL rollover litigation. She also donates pro bono work on a wide variety of cases, heads Motley Rice's charitable contribution committee and is a founding member of the aviation practice team.

Flowers is currently the practice group leader for Motley Rice's 9/11 practice group, representing more than 6,500 family members and survivors in a pioneering civil action against al Qaeda's financiers designed to bankrupt terrorism. She serves on the executive committee of MDL 1570, In Re: Terrorist Attacks on September 11, 2001, and serves on the legal and discovery committees. She represents Israeli and American bombing victims in a consolidated action in the Eastern District of New York against the financiers of HAMAS, is involved in litigation aimed at stopping the enslavement of children in the UAE, and in cases against Libya for acts of international terrorism.

Flowers earned a Bachelor of Arts degree *magna cum laude* from the College of Charleston in 1989 and, on a full Carolina Legal scholarship, received a J.D. from the University of South Carolina School of Law and was admitted to the South Carolina Bar in 1993. She joined Motley Rice attorneys upon graduation and became a Motley Rice Member upon its founding in 2003.

STUART GUBER

Stuart Guber became a member of Motley Rice LLC in 2006. He primarily works with the firm's Securities and Commercial Fraud practice group. He has more than a decade of experience in prosecuting class action litigation against Fortune 500 companies, Big Five accounting firms, and Wall Street's largest investment banking firms for violations of the federal securities laws and other corporate misconduct. He also has experience in prosecuting and defending securities arbitrations conducted before regulatory agencies, including the NASD, New York Stock Exchange and Philadelphia Stock Exchange.

Guber has had day-to-day responsibility for leading multiple class action securities cases on behalf of defrauded investors including cases involving the following companies: Providian Financial, Campbell Soup, MicroWarehouse, Rite Aid, Boston Chicken, ValuJet and Policy Management. Before joining Motley Rice, he was a partner with both Chitwood Harley Harnes, LLP in Atlanta, Georgia and Berger & Montague PC in Philadelphia, Pennsylvania.

Guber earned a Bachelor of Science degree in Business Administration with a major in Accounting from Temple University in 1986 and a Juris Doctorate from Temple University School of Law in 1990. In 1995, Mr. Guber served as one of the trial counsel in Robbins v. Koger Properties, Inc., in which a Federal jury found Deloitte & Touche liable for securities violations after a month long trial and rendered an $81 million verdict. Guber is admitted to practice in the states of Georgia and Pennsylvania, the United States District Courts for the Northern District of Georgia, Eastern District of Pennsylvania, District of Colorado and Eastern District of Michigan, and the United States Courts of Appeals for the First, Third, Eighth, Tenth and Eleventh Circuits.

JOHN HERRICK

John Herrick was persuaded to work with Ron Motley, Joe Rice and many other current colleagues some 16 years ago, encouraged and motivated by the high standards that were expected. He now approaches his work with the same ambition as a leader of the asbestos team at Motley Rice LLC.

Herrick has worked for clients across the country in Alabama, Illinois, Maryland, Tennessee, Texas, Virginia, Wisconsin and others. He currently serves on the Claimants Committee of the C.E. Thurston Inc. Bankruptcy.

Herrick received a Bachelor of Arts in 1983 and graduated with a J.D. in 1988 from the University of South Carolina. The combination of his innate affection for arguing and his desire to lend a voice to people who might otherwise not be heard drew him to the law and, more specifically, to the plaintiffs' bar. He became a Motley Rice member in 2003.

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ANNE KEARSE

With a background in consumer affairs and a record in asbestos litigation, Anne Kearse approaches every case with two objectives in mind: to be passionate about the clients she represents and to provide top-notch legal counsel.

Kearse has represented victims of asbestos exposure in numerous jurisdictions within both individual and mass tort settings. Her clients vary from people who worked with asbestos to housewives and children who contracted mesothelioma from the clothing of asbestos-exposed workers. In addition to her asbestos-related work, Kearse represents individuals and families suffering from injuries resulting from defective products and catastrophic accidents.

Beginning her career as a trial paralegal and investigator for Motley Rice attorneys in 1984, she quickly learned all the ins and outs of discovery while working on cases for individual plaintiffs, as well as school districts seeking assistance in remediating asbestos from school buildings. Eventually, she was urged to obtain a law degree so that she could take her commitment and knowledge about plaintiffs' needs and the culpability of defendants to a new level.

In 1998, Kearse graduated *cum laude* from the University of South Carolina School of Law and was admitted to the South Carolina Bar. She became a member of Motley Rice LLC in 2003 and now leads the asbestos liability team and catastrophic injury practice group. She has a focus on toxic torts, mass tort litigation, premise liability and general civil litigation. Kearse has written and been published on major legal issues, including forum non conveniens and defective products abroad, corporate conduct, medico legal aspects of asbestos litigation and mass tort litigation. She is a frequent speaker on asbestos litigation, tort reform and general product liability at seminars across the country.

BOB MCCONNELL

Bob McConnell believes that the legal system can and should work for everyone. He falls back on a very basic premise regarding the American judicial system: that courts exist to validate and protect the rights of every individual. He works diligently at Motley Rice LLC helping to fulfill this obligation.

McConnell began his career representing individual asbestos victims and assisting in large consolidated asbestos trials in Maryland, Mississippi and West Virginia. He has personally represented dozens of mesothelioma victims, obtaining settlements for these clients and their families.

McConnell joined Motley Rice as a member in 2003 and has most recently devoted his attention to childhood lead poisoning cases, representing both injured children in lawsuits against negligent property owners and government agencies in public nuisance lawsuits against the lead pigment industry. He has presented to the Rhode Island Bar Association, the Northeast Conference of Attorneys General and various community groups throughout Rhode Island on lead poisoning litigation.

After graduating from Brown University in 1979 and teaching for several years, the teacher became a student once again, earning his law degree in 1987 from Suffolk University. McConnell then clerked for one year for Rhode Island Supreme Court Justice Donald F. Shea before joining Motley Rice. He is licensed to practice in Massachusetts and Rhode Island. Hoping to better the state of Rhode Island, McConnell serves on the board of Help Lead Safe Center, whose purpose is to prevent childhood lead poisoning and provide services for children already affected. He also serves on the Development Advisory Committee for the Institute for the Study and Practice of Nonviolence, a committee working to promote nonviolence among young people in Rhode Island, particularly in the inner cities

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JACK MCCONNELL

When Jack McConnell was in college, he thought he would become a "Nader's Raider." Going into law school, he thought he might be a public defender. Whatever he did, he wanted to take on the wealthy and powerful on behalf of the underdog. Later, when serving as a law clerk for Rhode Island Supreme Court Justice Donald F. Shea, he saw the positive impact he could make on peoples' lives by being a plaintiffs' trial attorney. His future was in the courtroom.

Now, more than 20 years later, McConnell still loves fighting for justice and taking on the Goliaths of the world -- Big Tobacco, the asbestos industry, and now, the manufacturers of lead paint. He does so on behalf of many "Davids" — individuals, groups of people, municipalities, counties and states. His legal career pits him against those who have shirked their responsibilities and basic regard for human lives. McConnell's exceptional legal and trial achievements have earned him a host of honors.

He is the recipient of the National Association of Attorneys General's Presidents Award, the Childhood Lead Action Project's Above and Beyond the Call of Duty Award, the Rhode Island Bar Association's Dorothy Lohman Award, CWRU's Martin Luther King, Jr. Award and the Rhode Island ARC's Silver Bullet Award. He is an Advocate in The National College of Advocacy.

A 1980 Brown University graduate, McConnell earned his law degree from Case Western Reserve University School of Law in 1983. After clerking for the R.I. Supreme Court, he practiced law at the firm of Mandell, Goodman, Famiglietti & Schwartz for two years before beginning work with Motley Rice attorneys in 1986. He became a Motley Rice LLC member in 2003, serves as one of the six members of the firm's executive committee and manages the firm's Rhode Island office. McConnell is active in his community as well as the state and national Democratic Party. He is licensed to practice in Massachusetts, Ohio, Rhode Island, South Carolina and Washington, D.C. McConnell is married to Sara Shea McConnell and they are the proud parents of three children, Catherine, Margaret and John.

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DON MIGLIORI

Donald A. Migliori's journey to the highest levels of the plaintiffs' bar — winning multi-million dollar asbestos verdicts, litigating on behalf of the 9/11 families and victims of aviation disasters and helping the States Attorneys General stop Big Tobacco — took an unconventional route.

After graduating from Brown University, he earned a master's degree in early American legal history from Syracuse University's Maxwell School of Public Citizenry and worked as a freelance photographer and an English teacher in Portugal. His path eventually led to Syracuse's College of Law, then to the law firm of Gunning LaFazia & Gnys. In 1997, he began his work with Motley Rice attorneys.

In 2003, Migliori became a member of Motley Rice LLC. He heads the firm's aviation team along with member Mary Schiavo. He also tries occupational health, environmental, medical malpractice and other types of cases before juries. Migliori has made a name for himself as a trial lawyer whose calm, deliberative style enables him to connect with juries and successfully negotiate with adversaries even under the most contentious of circumstances. He is licensed to practice in Massachusetts, Minnesota and Rhode Island.

Migliori is a frequent speaker on legal issues relating to terrorist financing, aviation security, class action litigation, premises liability in asbestos litigation and tobacco company liability. He has also appeared on Court TV, Fox News, and The CBS Early Show and is an adjunct professor at Roger William School of Law, teaching mass torts.

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BILL NARWOLD

A longtime national leader in the movement for corporate accountability and responsibility, William H. (Bill) Narwold continues that pursuit at Motley Rice LLC, where he directs the Consumer and Commercial Fraud practice group. Narwold is building further on the firm's leading role in many of the largest consumer fraud, defective products, whistleblower, antitrust and securities litigation matters throughout the United States.

The versatile and accomplished litigator joined Motley Rice LLC as a senior member in January 2004 after spending 25 years at Cummings & Lockwood in Hartford, Connecticut, including a decade as managing partner. He was drawn to the firm by its energy, excitement and creativity and the opportunity to work on litigation that affects people's lives, policy and social change. Narwold plays an active management role as a member of Motley Rice's executive committee, and he heads the firm's appellate practice group.

In addition to leading the firm's consumer and commercial litigation matters, Narwold is also a skilled problem-solver, frequently acting as an arbitrator and mediator, both through the American Arbitration Association and privately. He is a frequent speaker on arbitration, alternative dispute resolution and related topics. He is also a member of the National Association of Consumer Advocates.

A 1974 graduate of Colby College, Narwold earned his law degree *cum laude* from the University of Connecticut School of Law in 1979, where he was Managing Editor of the Connecticut Law Review. From 1979 to 1981, he served as a law clerk for the Honorable Warren W. Eginton, U.S. District Judge, District of Connecticut. He is licensed to practice in Connecticut.

Narwold serves on the board of directors of numerous bar associations and non-profit organizations, including the Connecticut Bar Foundation, the Greater Hartford Legal Assistance Foundation, the University of Connecticut Law School Foundation and Lawyers for Children America. Narwold is listed in the current edition of "Best Lawyers in America," and he was named one of eleven lawyers "who made a difference" by The Connecticut Law Tribune. Narwold also serves as Chairman of Protein Sciences Corporation, a biotechnology company focused on developing vaccines for human and animal health.

ANN RITTER

Possessing over two decades of courtroom experience in occupational disease, toxic tort and transportation law, Motley Rice LLC member, Ann Ritter, is a skilled and successful trial lawyer who, throughout her accomplished career, has worked tirelessly to confront corporate wrongdoers and hold them accountable for negligence and wrongdoing.

A straight shooter, Ritter is an unyielding advocate for her clients, having combined her inherent ability to lead complex cases with a take-charge attitude to help trial teams and courts across the country. Her strong instinct for finding corporate smoking gun evidence puts her on the front lines of hard-fought litigation.

Since 1985, Ritter has served as the Sheet Metal Workers' International Association (SMWIA) occupational disease counsel, having participated in the early work that led to Sheet Metal Occupational Health Institute (SMOHI) and its 19 years of asbestos health screenings. A frequent speaker at SMWIA conventions, she has also managed and tried multiple cases for sheet metal workers suffering from asbestos disease.

Ritter currently manages Motley Rice's occupational disease and transportation practice groups and has been leading the Ford door latch litigation team in addition to helping lead all of Motley Rice's mesothelioma and asbestos-related disease efforts.

After earning a Bachelor of Science degree from Florida State University, Ritter pursued a law degree from the University of Tennessee. She serves on the Executive Committee at Motley Rice and is co author of "Asbestos in Schools," published by the National School Boards Association. Ritter also serves on the Executive Advisory Council of the International Pleural Mesothelioma Program at Brigham and Women's Hospital at Harvard Medical School and the Advisory Committee for the Tobacco Deposition and Trial Testimony Archives (DATTA) Project.

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MARY SCHIAVO

Throughout her distinguished career in law and public service, Mary Schiavo has held corporations, institutions and the government fully accountable for their obligation to protect the safety and security of the traveling public. She continues that mission at Motley Rice LLC as a member and leader of the aviation team.

From 1990 to 1996, Schiavo served as the Inspector General for the U.S. Department of Transportation. Under her direction, Schiavo and her staff secured more than 1,000 criminal convictions and uncovered billions in waste and abuse at the U.S.D.O.T. Since leaving the Transportation Department, Schiavo has represented passenger and crew families in every major U.S. air crash, as well as pilots and passengers on private planes. At Motley Rice, she continues to represent clients in all major aviation-related litigation, including family members of the passengers and crew aboard the four planes hijacked on September 11, 2001.

Schiavo received her pilot's license soon after her driver's license and, while still a teenager, completed private and commercial flight training at The Ohio State University. She is a *cum laude* graduate of Harvard University and she earned a master's degree in public administration from The Ohio State University, where she was a University Fellow. Schiavo earned a J.D. from New York University and was a Root-Tilden Law Scholar.

At the Smithsonian Institution's Air and Space Museum in Washington, D.C., she was honored with the 1996 Aviation Laurel Award for her many years of work to combat bogus aircraft parts. The following year, Schiavo was inducted into the Aviation Laurel Hall of Fame, also at the Smithsonian Institution.

Recognized by television audiences worldwide, Schiavo has served as an on-air aviation consultant for NBC and ABC news and frequently appears on Fox, CNN, CBS and the BBC. She was named one of Glamour magazine's 1997 Women of the Year, 1987 Working Woman of the Year and 1975 Top Ten College Students. In the cover story of the 1975 issue, Schiavo, while a college student, announced that she planned to make a career in aviation law. Her goal was to make aviation safer, a goal she works everyday to attain.

JEFFREY THOMPSON

With more than a decade of courtroom experience in occupational health, commercial and consumer fraud, property, bankruptcy, toxic tort and environmental law, and eight years of previous work in the oil industry, Jeff Thompson brings a versatile background, a unique perspective, meticulous preparation and exceptional trial skill to Motley Rice LLC. Currently, Thompson works on asbestos, anti-terrorism, welding rod, railroad/Federal Employers' Liability Act and drug cases. Thompson is involved in every aspect of the litigation that he manages. His legal work is marked by painstaking attention to detail, rigorous preparation, a fair, professional approach to his adversaries and a particular affinity for working with experts in cases requiring complex scientific and medical testimony.

Thompson took an unorthodox path to the top of the legal profession. A native of Des Moines, Iowa, he graduated from Northeast Missouri State University in 1982 and went to work in the oil field services industry in sales, operations and management. He then attended the University of Houston Law Center, where he was editor-in-chief of the Law Review and graduated *magna cum laude*. He then served as law clerk to the Honorable Carolyn Dineen King of U.S. Court of Appeals for the Fifth Circuit before joining the Houston law firm of Susman Godfrey. Thompson joined the Williams Bailey Law Firm in Houston, Texas in 1995 and became a partner in 1997.

He became a member of Motley Rice LLC in June 2003. He is licensed to practice in Texas.

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FRED THOMPSON

Fred Thompson, with over twenty five years of trial experience in commercial, personal injury and toxic tort law, brings a highly credible reputation to Motley Rice LLC. Armed with a sharp ability to organize facts into legal theories and arguments, Thompson approaches each case individually and always keeps clients' well-being and primary interests in mind. He believes that litigating in a mass tort process demands attention for the individual as opposed to the "mass client."

Thompson has represented a cross-section of clients in securities litigation, including customers of public brokerage houses, classes of bondholders in defaulted bond issues and purchasers of securities— including limited partnership units, stocks and other forms of securities against the issuing entities, advisers, accountants, brokers, bankers, underwriters, syndicators and other associated professionals in federal, state and bankruptcy forums, as well as in alternative dispute such as arbitration. Thompson currently leads Motley Rice's medical practice group, managing all cases related to defective medical devices, medical malpractice, nursing home abuse and harmful pharmaceutical drugs.

After earning a Bachelor of Arts degree *cum laude* from Yale University in 1973, Thompson served his country in the U.S. Navy. He then attended Duke University School of Law, where he served on the editorial board of the Duke Law Review, was awarded the Order of the Coif and earned his J.D. with distinction in 1979. Thompson has tried cases in every forum in South Carolina, from the magistrate's court to the court of appeals. Aside from his professional career, Thompson enjoys creative writing and has won several short story contests over the last decade, including the Bad Joyce Writing Contest sponsored by Oxford Books in Atlanta. He is licensed to practice in South Carolina.

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DAVID WORLEY

In 1980, David Worley graduated *cum laude* from Harvard University. After two years as a congressional aide, he attended the University of Virginia School of Law, where he won the Johnson & Swanson Award for excellence in written advocacy and was a member of the National Moot Court Team. He earned a Juris Doctorate from UVA in 1985. Worley's experience includes nearly a decade representing trustees of union pension funds, international and local unions, and groups of individuals in a variety of complex trial and appellate litigation and arbitrations. His securities experience includes leading litigation teams in In re Cryolife Sec. Litig. and In re AFC Enterprises Sec. Litig. Worley is admitted to practice before all Georgia state trial and appellate courts, the United States District Courts for the Northern and Middle Districts of Georgia, and the Eleventh Circuit Court of Appeals.

As a member of Motley Rice LLC, Worley works primarily with the firm's Securities and Commercial Fraud practice group working on corporate securities and other complex litigation to further the firm's leading role in many of the largest consumer fraud, defective products, whistleblower, and antitrust litigation matters throughout the United States. Worley has served as Chair of the Labor and Employment Law Sections of both the State Bar of Georgia and the Atlanta Bar Association, and as Co-Chair of the Federal Legislative Developments Committee of the American Bar Association's Committee on Labor and Employment Law. He was a contributing editor to The Fair Labor Standards Act (BNA, 2000) and Discipline and Discharge in Arbitration (BNA, 1998) and has lectured on litigation and arbitration topics at numerous continuing legal education seminars. For many years he was a member of the AFL-CIO Lawyers Coordinating Committee.

From 1998 to 2001, Worley served as Chairman of the Democratic Party of Georgia. He is a former Democratic nominee for the United States Congress, has been a Member of the Democratic National Committee and a delegate to four Democratic National Conventions. He has also served as Chairman of the Board of Trustees of the Clayton County Library System and the Clayton County Aging Program. He is currently a member of the Georgia State Election Board.

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ASSOCIATES

(see attached profiles)

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South Carolina 1990

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United States District Court, District of South Carolina 1991

United States District Court, Southern District of Florida 2005

Licensed In

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Education

University of South Carolina, B.A., 1986

Washington University School of Law, J.D., 1990

Tulane University Law School, LL.M, 2004

Member

Maritime Law Association of U.S.

Southeastern Admiralty Law Institute

American Bar Association

Maritime Association of the Port of Charleston

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Motley Rice Attorney Bio

Victoria Antion is driven by a desire to make a difference in the lives of others. Her first legal intern position was with the U.S. Department of Justice, Federal Bureau of Prisons in 1998, during which time she earned two "Warden Special Acts Awards." Antion remained with the Department of Justice until her second year in law school when she accepted a position with West Virginia University Student Legal Services, assisting students with a variety of legal problems. In her final year of law school, she accepted an internship with the West Virginia University Office of the General Counsel, where she worked in conjunction with the General Counsel and staff on all aspects of higher education law.

In 2003, Antion began a judicial clerkship with the West Virginia Supreme Court of Appeals, First Circuit for the Honorable Ronald E. Wilson, Chief Judge, gaining experience in a variety of legal fields. She completed the judicial clerkship and joined Motley Rice LLC in 2005. She practices primarily within the firm's Occupational Disease and Toxic Tort practice group providing litigation support to the West Virginia asbestos team.

Antion earned a B.A. in Political Science summa cum laude from West Virginia University in 2000. In 2003, she earned a J.D. from West Virginia University College of Law, where she was President of the Student Bar Association and a member of the Moot Court Team. Upon graduation, she received the honor of induction into the Order of the Barristers. In 2004, Antion served as the youngest member on the West Virginia Bar Association State Board of Governor and is currently a member of the West Virginia College of Law Development Committee. Also active in her community, Antion has volunteered for the West Virginia Legal Aid and the Big Brothers Big Sisters Organization. She is licensed to practice in West Virginia.

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South Carolina 2002

United States District Court, District of South Carolina 2004

Licensed In

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Education

College of Charleston (B.A. English, B.A. Spanish, 1997)

University of South Carolina (J.D., 2002)

Law Clerk to the Honorable James R. Barber, III, Circuit Court Judge of the Fifth Judicial Circuit, State of South Carolina, 2002-2003

Member

American Bar Association

South Carolina Trial Lawyers Association

Charleston County Bar Association

Motley Rice Attorney Bio

Attracted to Motley Rice LLC attorneys' reputation for zealous representation, William Applegate, originally a small business owner, chose to bring his business management background to the firm in 2003. He speaks Spanish fluently and has an assertive and thorough approach to conducting discovery, taking depositions, arguing motions and negotiating settlements.

Applegate focuses his efforts on cases involving the Federal Employer's Liability Act (FELA), assisting in the management of Motley Rice's 9,000 plaintiffs from across the country who have been injured while working for different railroad companies. In addition, he works with the securities and commercial fraud practice group, assisting in a variety of different national class actions and individual commercial torts.

Applegate earned a Bachelor of Arts degree in both English and Spanish from the College of Charleston. He received his law degree from the University of South Carolina, where he was a recipient of the Public Interest Law Society Grant and served as vice president of the Pro Bono Board. He was admitted to the South Carolina Bar in 2002. He then served as law clerk to the Honorable James R. Barber, III, Circuit Court Judge of the Fifth Judicial Circuit, State of South Carolina. He is an active member of the Charleston County Bar Association, South Carolina Trial Lawyers Association and American Bar Association.

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Education

College of Charleston (B.A., 1996)

University of South Carolina (J.D., 2002)

Judicial Intern, Honorable Sol Blatt, Jr., Senior United States District Judge, U.S. District Court, District of South Carolina, 2001

Judicial Intern, Honorable Jasper M. Cureton, S.C. Court of Appeals, 2001-2002

Member

South Carolina Trial Lawyers Association

Motley Rice Attorney Bio

John Baden has always admired mentor Motley Rice LLC member Ron Motley's determination, drive and personal attention to clients. After considering Motley's insights regarding the hard work that the legal profession requires, Baden decided to welcome the challenge.

Baden received an undergraduate degree from the College of Charleston, after which he began work as Motley's trial litigation paralegal. He worked with Motley on landmark tobacco litigation, primarily for Florida, Mississippi and Texas, where he regularly attended depositions and trials.

Baden now practices primarily as a member of Motley Rice's occupational disease and toxic tort practice group. He handles complete case management for all of the asbestos cases in California, Georgia and Tennessee.

Baden earned a Bachelor of Arts degree from the College of Charleston in 1996. He received a J.D. from the University of South Carolina School of Law and was admitted to the South Carolina Bar in 2002. He served two judicial internships with the Honorable Sol Blatt, Jr., Senior United States District Judge, U.S. District Court, District of South Carolina and the Honorable Jasper M. Cureton, S.C. Court of Appeals. He was also a participant in the American Trial Lawyers Association's trial competition. In 2003, Baden joined Motley Rice as an associate.

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South Carolina 2001

California 2000

United States District Court, Southern District of California 2000

United States District Court, District of South Carolina 2001

Licensed In

South Carolina

California

Education

Clemson University (B.A. - cum laude 1996)

California Western School of Law (J.D., 1999)

Member

American Bar Association

Association of Trial Lawyers of America

South Carolina Bar Association

South Carolina Trial Lawyers Association

California State Bar Association

San Diego Bar Association

Motley Rice Attorney Bio

Kimberly Barone knew at a young age that she would eventually pursue a career in law. The legal profession has always piqued her interest, as she is driven by a desire to make a difference in the lives of those who have been injured or victimized.

Barone first began cultivating co-counsel relationships with Motley Rice attorneys while working on Fen-Phen pharmaceutical litigation at Harrison, Kemp & Jones in Las Vegas. In 2001, she moved back to her home state of South Carolina and joined them in practice.

Working almost exclusively for Motley Rice's medical practice group on the nursing home litigation team, Barone serves victims nationwide whose neglect by caregivers has led to serious injury or death. She works through each case from beginning to end, whether conducting discovery, deposing fact or expert witnesses, conducting mediations, negotiating settlements or preparing for trial. She possesses a strong combination of thorough attention to details and the ability to think quickly on her feet.

Barone earned a Bachelor of Arts degree cum laude from Clemson University followed by a law degree from California Western School of Law. Prior to becoming a plaintiffs' attorney, she worked for the California District Attorney's Office in San Diego. She is licensed to practice in California and South Carolina.

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Louisiana 1999

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Education

Louisiana State University (B.S., 1996)

Tulane University (J.D., Certificate in Maritime Law, 1999)

Member

American Bar Association

Charleston County Bar Association

Motley Rice Attorney Bio

After working as a prosecutor, Caroline Bernard decided to make a transition into civil litigation, joining Motley Rice LLC's transportation practice group in 2004. Bringing to Motley Rice resolute but polished trial skills, she has enjoyed working on projects with her respected colleagues and feels that the atmosphere is a diverse one in which all can flourish and have the opportunity to contribute.

Bernard's litigation approach is to focus on the big picture and to bear in mind a case's entirety while keeping in perspective the individual defendants and how the plaintiffs view the case.

Before joining Motley Rice, Bernard served as Assistant Solicitor for the Ninth Judicial Circuit Solicitor's Office in South Carolina and Assistant District Attorney under Harry F. Connick, Sr. in the Criminal District Court of Orleans Parish in New Orleans. Throughout her five years as a prosecutor, Bernard was also Senior Trial Attorney and Senior Assistant to the Trials Division – trying over 170 cases, over 70 before juries.

Bernard is currently focusing her efforts on Motley Rice's vehicle defect team, primarily handling passenger restraint issues such as seat belts, air bags and child restraint seats. In addition, she manages most of the marketing for the team.

She earned a Bachelor of Science from Louisiana State University and a J.D. with a Certificate in Maritime Law from Tulane University. She attended the national Trial Advocacy II program at the National College of District Attorney's Trial Advocacy Center in Columbia, South Carolina. She is licensed to practice in Louisiana and South Carolina.

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Education

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University of South Carolina (J.D., 1992)

Member

American Bar Association

Association of Trial Lawyers of America

Federal Bar Association

South Carolina Bar Association

South Carolina Trial Lawyers Association

Motley Rice Attorney Bio

Brian Bevon brings to each case at Motley Rice LLC an intense passion for his clients' causes combined with a straightforward, candid and fair approach that engenders trust and respect in his adversaries.

Bevon manages all of Motley Rice asbestos and mesothelioma cases in North Carolina, North Dakota, Pennsylvania, South Carolina and and South Dakota. He has also handled some of the firm's groundwater contamination efforts.

A 1989 graduate of Catholic University, Bevon was initially attracted to the legal profession after working with the legislative staff of Senator Ernest "Fritz" Hollings. In 1992, he earned his law degree from the University of South Carolina School of Law, was admitted to the South Carolina Bar and immediately began working for the Law Offices of John P. Qualey, Jr., in Hilton Head, South Carolina.

Bevon joined the firm in 1994. Bevon, a South Carolina native, is active in the Charleston community and volunteers for Habitat for Humanity.